

1ST READING

4-10-12

2ND READING

4-17-12

2012-014

Gunbarrel Partners

District No. 4

ORDINANCE NO. 12583

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, AS AMENDED BY ORDINANCE NO. 11989 SO AS TO REMOVE AND REPLACE THE EXISTING CONDITIONS 3, 5, 6, 8, AND 9 ON ORDINANCE NO. 11989 ON THE 2007 SITE PLAN ON PROPERTIES LOCATED IN THE 2300 BLOCK OF GUNBARREL ROAD AND 7342 McCUTCHEON ROAD, BEING MORE PARTICULARLY DESCRIBED HEREIN.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend conditions on properties located in the 2300 block of Gunbarrel Road and 7342 McCutcheon Road, being more particularly described herein.

Lot A, 24 thru 29, Timberland Subdivision, Plat Book 20, Page 73, ROHC, and Lot 30, Revised Plat of the Timberland Subdivision, Plat Book 82, Page 59, ROHC, being described as Tracts 1 thru 6 in Deed Book 9433, Page 409, ROHC. Tax Map Nos. 149H-G-012 thru 018.

SECTION 2. BE IT FURTHER ORDAINED to amend Ordinance No. 11989 to remove the existing conditions and replace with the following:

- 1) Any transportation improvements as approved by the City Traffic Engineer;
- 2) Twelve (12) feet of right-of-way along Gunbarrel Road necessary for future widening;
- 3) No more than one ingress/egress drive onto Gunbarrel Road provided that two entrances may be permitted after Gunbarrel Road is widened;

- 4) Appropriate Drainage Impact Study to be provided by the developer to City Engineering Department;
- 5) A sidewalk to be constructed along Gunbarrel Road with trees planted appropriately and street lamps per the drawings presented to City Council;
- 6) A landscaping plan shall be required for the Gunbarrel Road frontage;
- 7) Type C landscape tree buffer as relates to tree separation and buffer width, except where road and/or pedestrian connectivity occurs, with up to 25% of the trees being deciduous shall be planted along the western property line;
- 8) Parcel 149H-G-018, the southernmost lot that fronts Gunbarrel Road, shall be dedicated to open/green space only; and
- 9) Community meeting to be held before this case goes before City Council.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

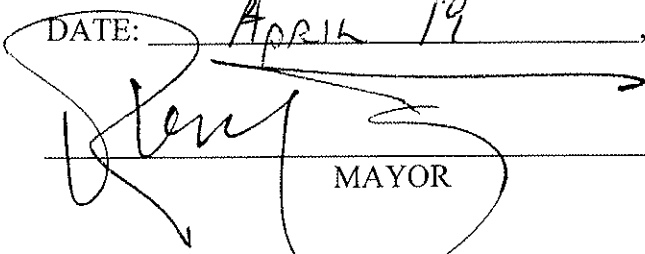
PASSED on Second and Final Reading

_____ April 17, 2012.



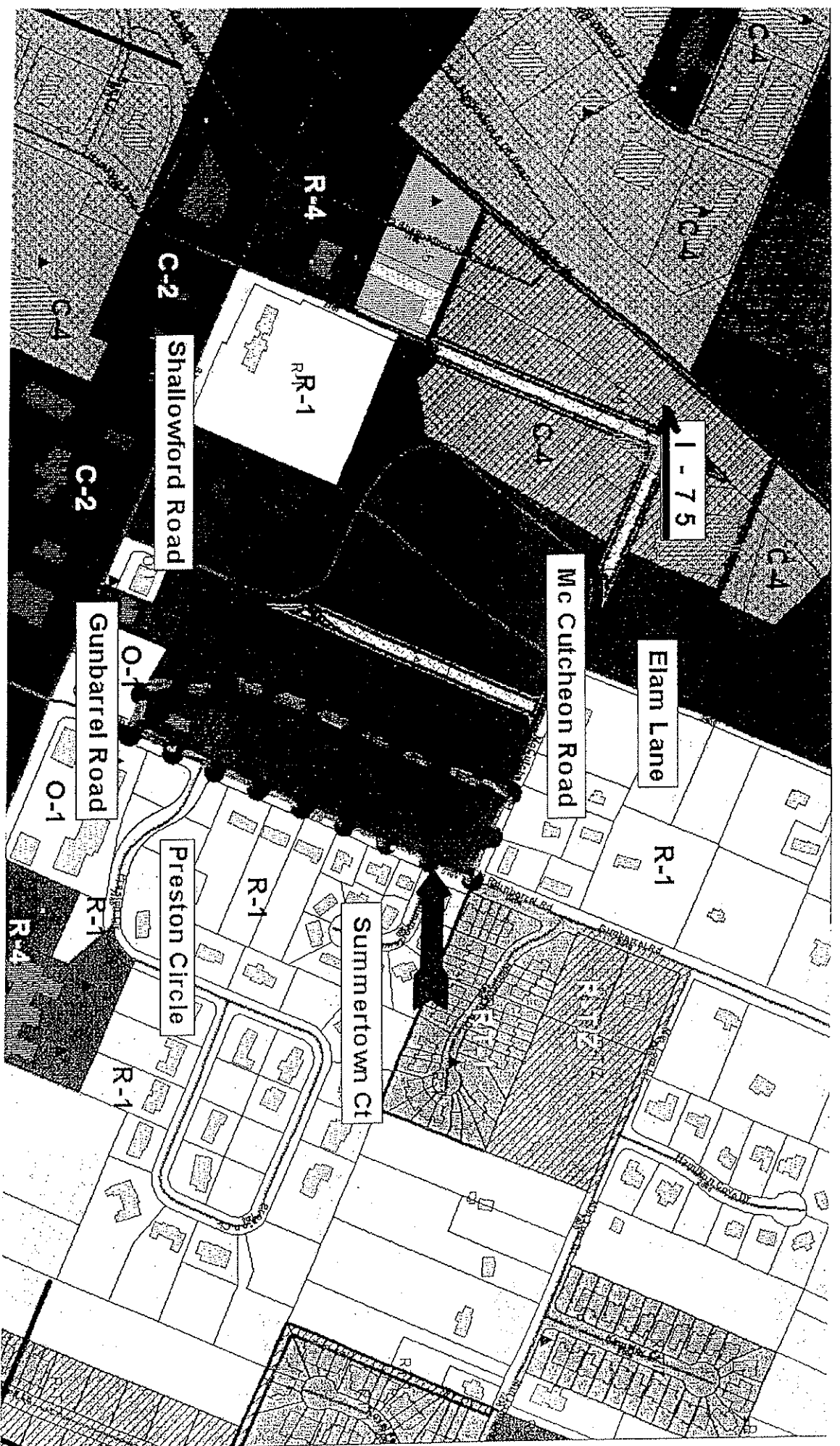
 CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: April 19, 2012


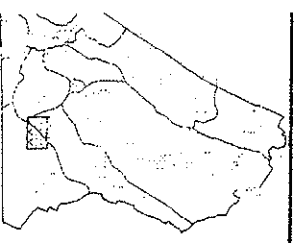
 MAYOR

/mms



LANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-014: Approve, subject to the list of conditions in the Planning Commission Resolution.

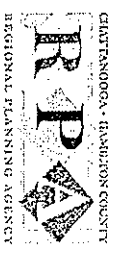
2012-0014 Amend Conditions From Ord # 11989



Chattanooga - Hamilton County Regional Planning Agency



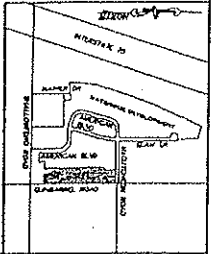
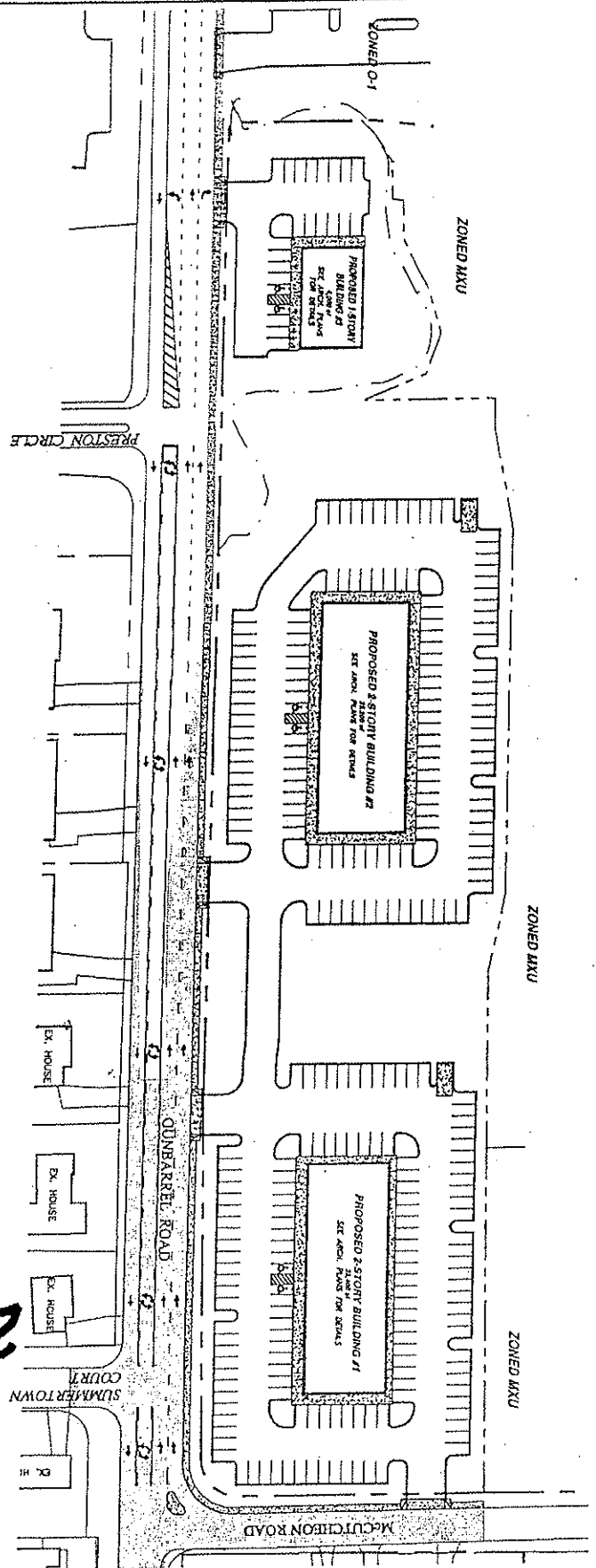
1 in. = 400.0 feet



ZONING ORDINANCE (CHAPTER 23, 2008-2009):
 THE TOWN OF CHATTANOOGA HAS ADOPTED THE FOLLOWING ZONING ORDINANCE TO AMEND THE ZONING ORDINANCE TO ADD A NEW ZONING DISTRICT, THE "COMMERCIAL MIXED USE ZONING DISTRICT" (CMU). THE PURPOSE OF THIS ZONING DISTRICT IS TO PROVIDE FOR THE DEVELOPMENT OF COMMERCIAL MIXED USE DEVELOPMENTS THAT ARE COMPATIBLE WITH THE SURROUNDING COMMUNITY AND THAT PROVIDE FOR A MIXTURE OF USES, INCLUDING RESIDENTIAL, COMMERCIAL, AND OFFICE USES. THE CMU ZONING DISTRICT IS INTENDED TO BE USED IN AREAS THAT ARE CURRENTLY ZONED FOR COMMERCIAL USES AND THAT ARE ADJACENT TO AREAS ZONED FOR RESIDENTIAL USES. THE CMU ZONING DISTRICT IS SUBJECT TO THE FOLLOWING REGULATIONS:

SITE ANALYSIS

PROPERTY ADDRESS:	6074 SHALLOWFORD ROAD
PERMIT NUMBER:	1008-0-12
PROPOSED BUILDING TYPE:	OFFICE
PROPOSED BUILDING AREA:	12,128 SQ. FT.
PROPOSED BUILDING HEIGHT:	2 STORIES
PROPOSED BUILDING SETBACKS:	SEE ARCH. PLANS FOR DETAILS



NOTE: THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. THE FINAL DESIGN SHALL BE PROVIDED IN THE FINAL PERMIT APPLICATION. THE TOWN ENGINEER'S OFFICE SHALL REVIEW AND APPROVE THE FINAL DESIGN. ANY CHANGES TO THIS PLAN SHALL BE APPROVED BY THE TOWN ENGINEER'S OFFICE. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION.

Preliminary Site Plan

SCALE: 1" = 40'

2012-014

COOPERATIVE SITE PLAN DEVELOPMENT, LLC

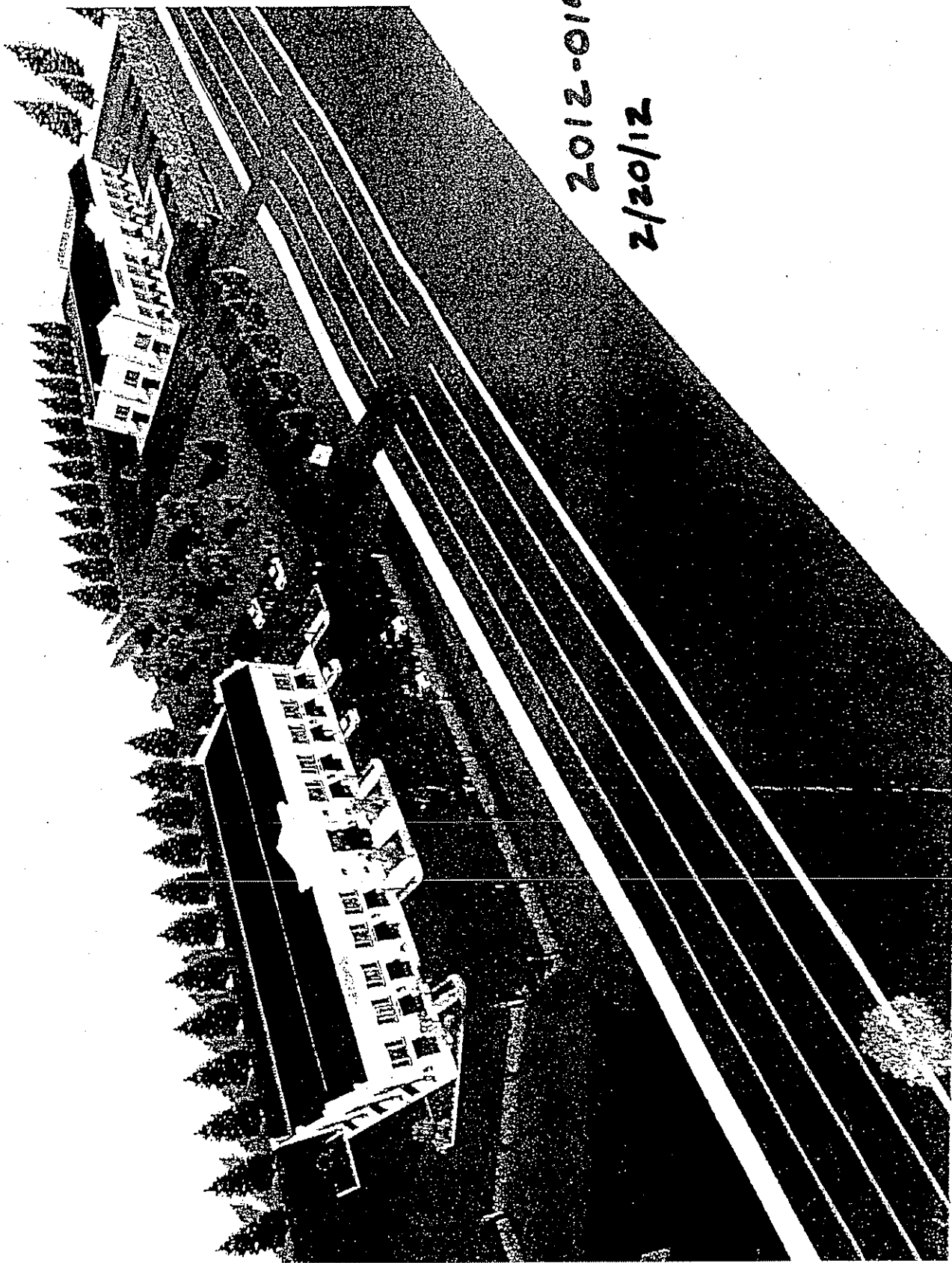
PRELIMINARY SITE PLAN

DATE: 5/10/12	DESIGNER: J. W. WATKINS
CHECKED BY: J. W. WATKINS	PROJECT NUMBER: 08-10-01
SCALE: 1" = 40'	SHEET NUMBER: CP-1

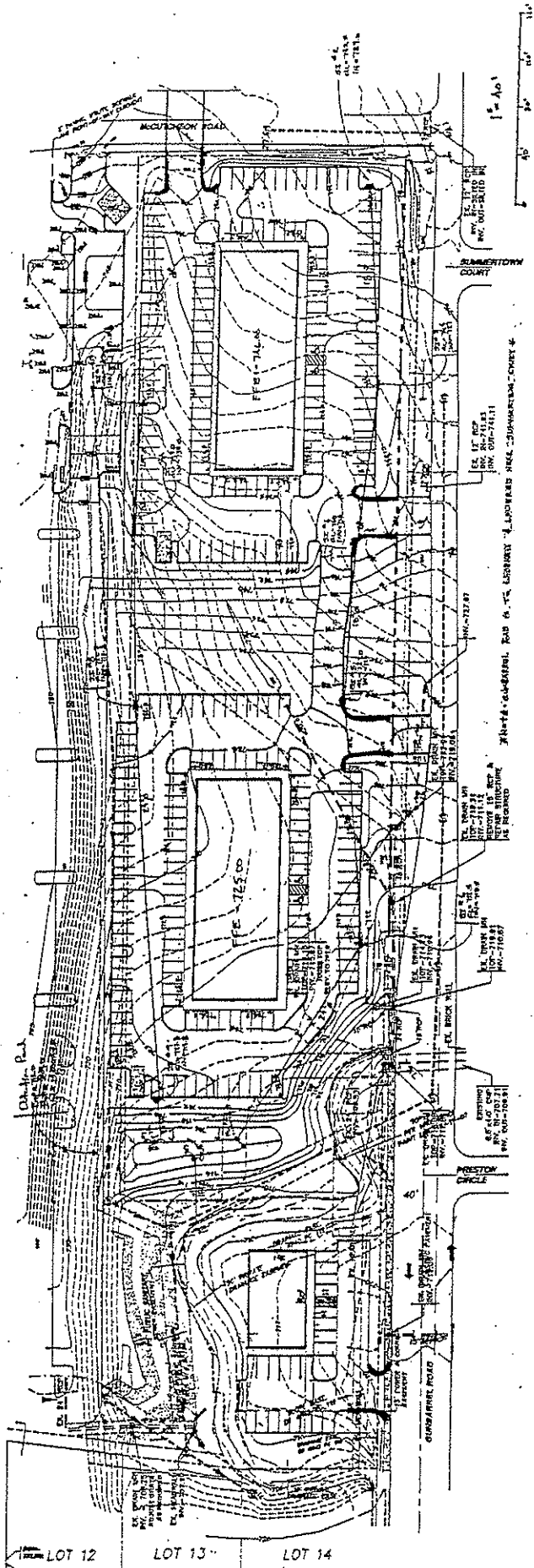
OFFICES AT WATERSIDE
 FOR:
 GUNBARREL PARTNERS
 6074 SHALLOWFORD ROAD
 CHATTANOOGA, TN 37421

MAP ENGINEERS L.L.C.
 1115 W. MAIN STREET
 CHATTANOOGA, TN 37402
 (423) 263-1111
 www.mapengineers.com





2012-014
2/20/12

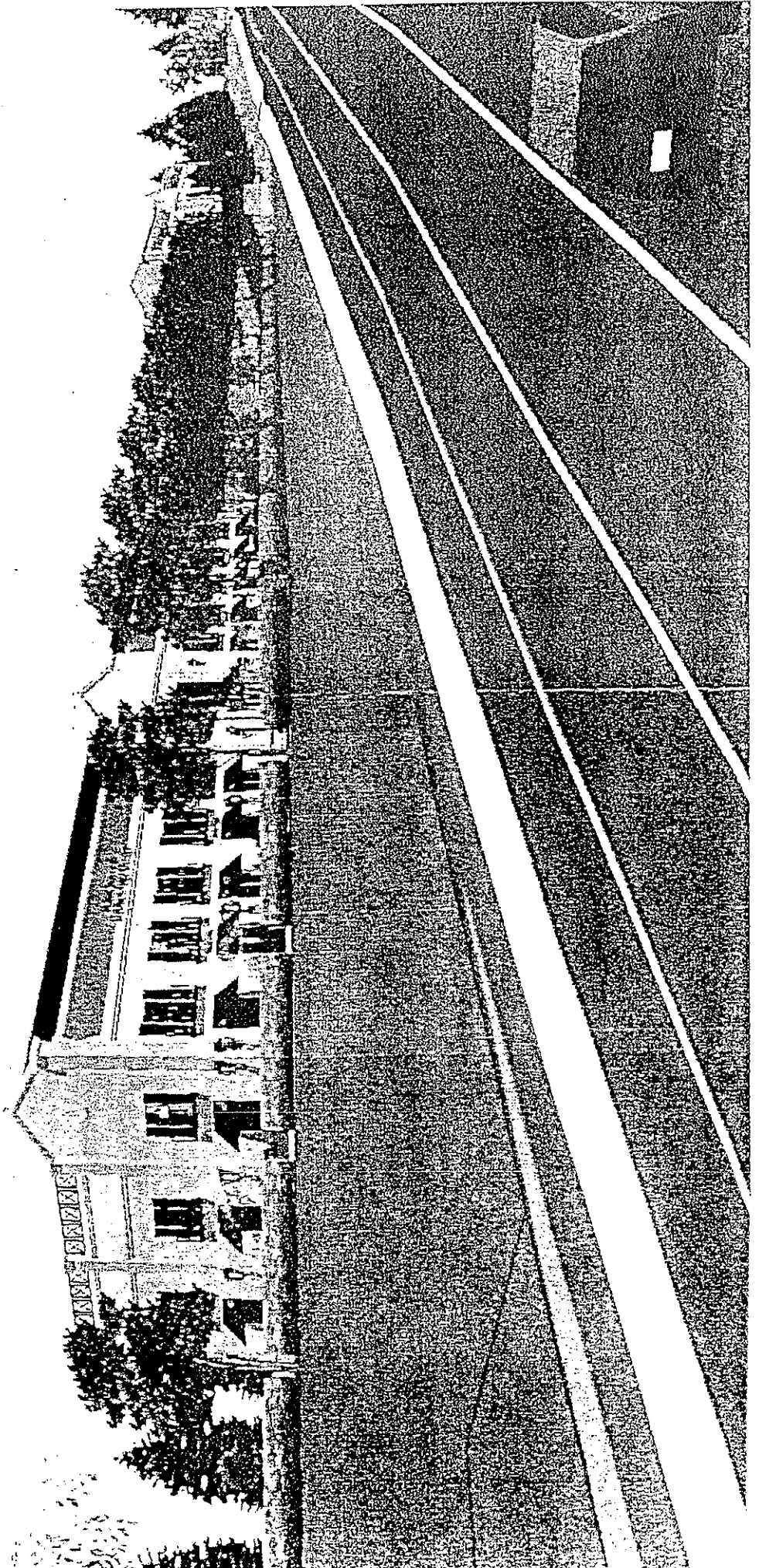


2012-014

LOT 12 LOT 13 LOT 14

TIMBERLAND SUBDIVISION
P.B. 20 PG. 73

2012-014
2/20/12



RECEIVED

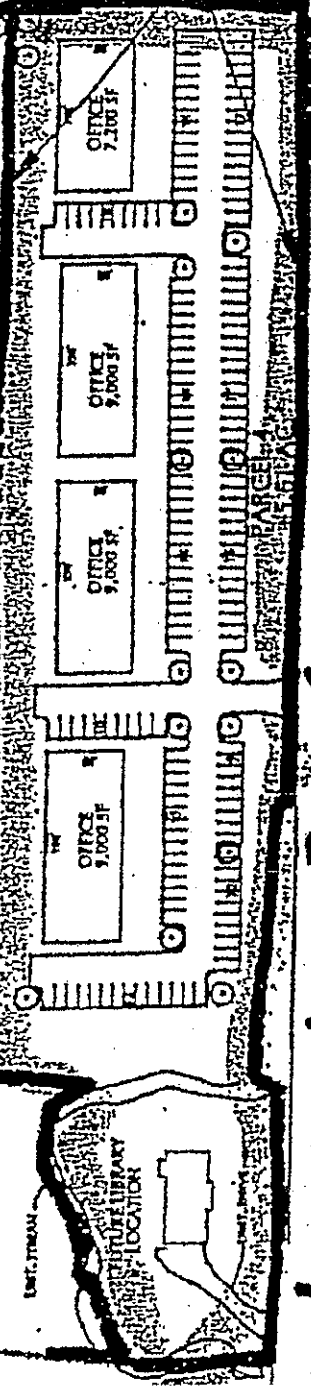
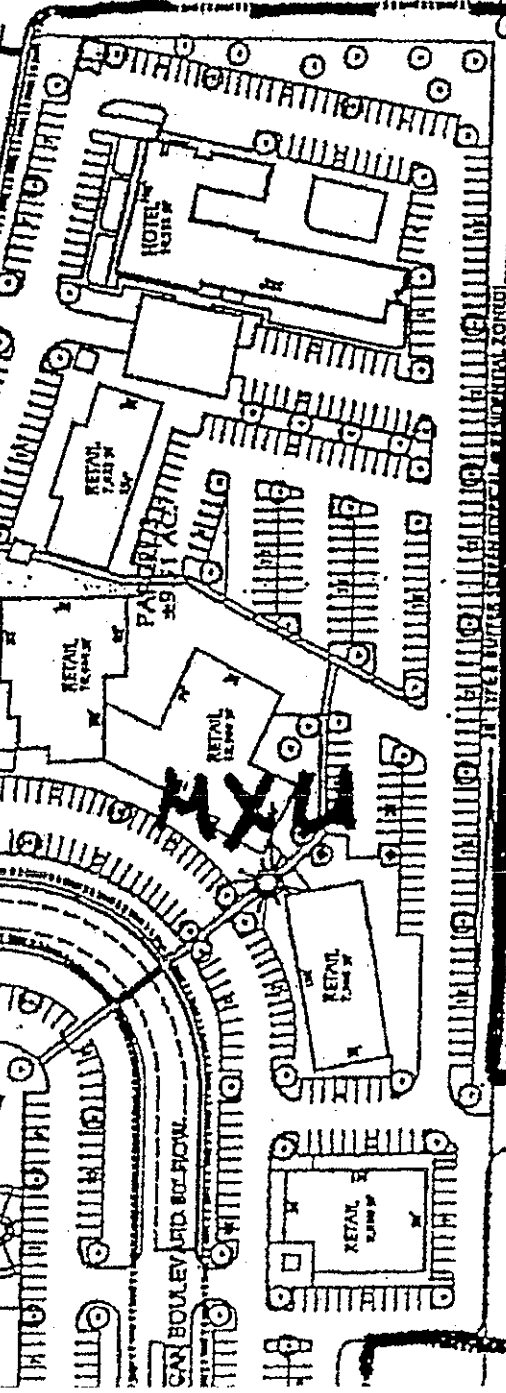
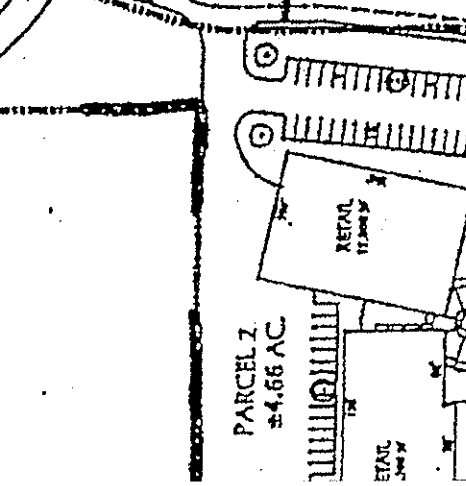
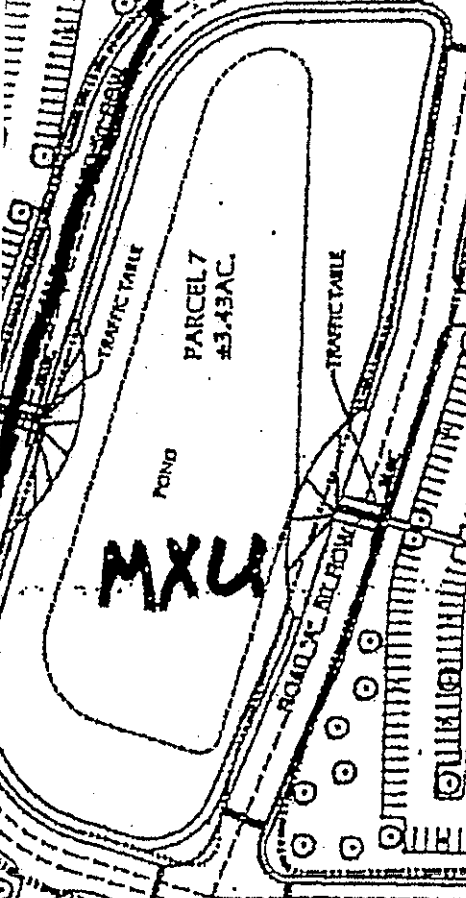
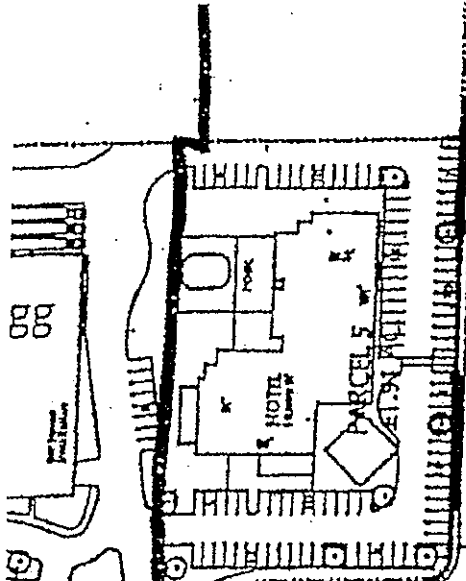
APR 4 2007

Chattanooga Hamilton County
Regional Planning Agency
Development Services

2007-059

AREA TO BE REZONED

McCUTCHEAN ROAD



unbarrel Road

Case Number: 2012-0014

Applicant Request: Amend Conditions 3, 5, 6, 8, and 9 of Ordinance No. 11989

- STAFF RECOMMENDATION:** REMOVE existing conditions and REPLACE with the following:
1. Any transportation improvements as approved by the City Traffic Engineer;
 2. Twelve (12) feet of right-of-way along Gunbarrel Road necessary for future road widening;
 3. No more than two ingress/egress drives onto Gunbarrel Road.
 4. Appropriate Drainage Impact Study to be provided by the developer to City Engineering Department;
 5. A sidewalk to be constructed along Gunbarrel Road with trees planted appropriately and street lamps per the drawings presented to City Council
 6. A landscaping plan shall be required for the Gunbarrel Road frontage.
 7. Type C landscape tree buffer as relates to tree separation and buffer width, except where road and/or pedestrian connectivity occurs, with up to 25% of the trees being deciduous shall be planted along the western property line.

Applicant: Gunbarrel Partners
Property Address: 7342 McCutcheon Road and 2300 block Gunbarrel Road
Jurisdiction: City Council District 4/Hamilton County District 5
Neighborhood: Twinbrook/East Brainerd
Development Sector: Outer Suburban Growth

Proposed Development
Site Plan Submitted: Yes
Proposed Use: Mixed-use
Purpose: To make adjustments to site plan.

Planning Commission Recommendation:
 Approve with change (see resolution)

Site Characteristics
Current Zoning: MXU Mixed Use Zone
Current Use: Vacant land
Adjacent Uses: Restaurant, residential
Size of Tract: Approximately 5 Acres
Access: Gunbarrel Road, McCutcheon Road

Analysis
Extension of Existing Zoning? Not Applicable
Community Land Use Plan: Yes, Hamilton Place Community Plan (2001)
Proposed Use Supported by Community Land Use Plan? Not as proposed
Proposed Use Supported by Comprehensive Plan? Yes

Comments
Planning Staff: Ordinance No. 11989 rezoned this property from R-1 Residential and O-1 Office to the MXU Mixed-use Zone in 2007. Nine conditions were placed on that rezoning:

1. Any transportation improvements as approved by the City Traffic Engineer;
2. Twelve (12) feet of right-of-way along Gunbarrel Road necessary for future road widening;
3. **One ingress/egress drive onto Gunbarrel Road;**
4. Appropriate Drainage Impact Study to be provided by the developer to City Engineering Department;
5. Site plan as presented to City Council on June 19, 2007 with offices and/or office- residence to be built on the property;
6. **Building to be constructed to reflect a residential character as indicated in the drawings presented to City Council.**
7. A sidewalk to be constructed along Gunbarrel Road with trees planted appropriately and street lamps per the drawings presented to City Council;
8. **An earthen berm approximately two (2) to three (3) feet high to be built behind the sidewalk and a hedge approximately two (2) to three (3) feet high to be planted on top of the berm or appropriate landscaping that will give both the screening and the height to be effective in obscuring the view of most cars parked in front of the buildings; and**
9. **Leyland Cypress would be planted at the rear of this property and more specifically on top of the fill area that is part of the larger Mixed Use Development. This should obscure buildings and vehicles at the rear of the future buildings from Gunbarrel Road.**

The applicant is asking that Conditions #3, 5, 6, 8, and 9 be amended (these are in bolded text above).

The conditions that the applicant is seeking to amend are those that were placed on the zoning to help ameliorate the impact of the zoning and use on the residential properties to the east of Gunbarrel Road. There are seven residential properties that front on Gunbarrel Road at this location.

The site plan presented with the original rezoning request showed three 9,000 square foot office buildings, one 7,200 square foot office building, and one "future library location". The proposed use at that time, as stated on the rezoning application, was for an "office & residential

subdivision”.

One of the Planning Principles stated in the Hamilton Place Community Plan is to “Configure new development so that it is compatible with existing adjoining uses. Examples include placing smaller scale, less intense buildings next to existing neighborhoods. Placement of large-scale buildings next to neighborhoods should be avoided.”

The plan also specifically addresses the Shallowford Road and Gunbarrel: “Triangle” Site. Most applicable to this location is the statement that “The Gunbarrel Road frontage should include medium density residential uses such as townhomes.” This complements the plan recommendation to maintain the east side of Gunbarrel Road between Pinewood Road and Shallowford Road as Low to Medium-Density Residential.

The conditions requested to be lifted and the staff’s recommendations on the request are listed below:

Condition 3. One ingress/egress drive onto Gunbarrel Road

Recommendation: Staff is recommending this condition be amended to allow for the existing curb-cut at 2307 Gunbarrel Road and one additional curb-cut onto Gunbarrel Road. The amended condition should read: “No more than two ingress/egress drives onto Gunbarrel Road.” The site has an existing curb-cut onto Gunbarrel Road at the southern portion and one additional curb-cut to access this site is acceptable.

The Mixed Use Zone states in its purpose that it “introduces a focus on the form of development rather than just the uses”. The proposal indicates a conventional form of suburban development with curb cuts for each of the three proposed buildings and dedicated parking for each individual structure fronting on the roadway. Staff does not support three curb-cuts at this location as the site plan shows as this site is part of the approximately 30-acre Waterside Mixed-use Zone, and although rezoned at a separate time, it was not intended to be a stand-alone development. The uses developed along the Gunbarrel Road frontage should be well-connected to the rest of the Waterside development. The site plan submitted with this proposal shows no connectivity to the western portion of the development other than by McCutcheon Road. The developer should consider connecting this portion to the rest of the development by vehicular and pedestrian access.

Condition 5. Site plan as presented to City Council on June 19, 2007

with offices and/or office- residence to be built on the property

Recommendation: Remove condition 5. Staff is recommending the removing of this condition. This property is zoned MXU Mixed-Use Zone. This site is part of the larger Waterside MXU and that Development Plan (as required by Sec. 38-146 of the zoning ordinance) will detail the required boundaries, square footage, land uses, and other information as specified in the zone for the Development Plan.

The applicant provided a revised Development Plan for the Waterside MXU as part of this submittal. It shows an office building at the location formerly denoted as "future library location". The submitted Development Plan does not show a revised location for this specific use. It does not specifically denote the minimum 10% of the total land area of the site that is to be used for public civic spaces, or show the location of the required residential component.

Therefore, staff is recommending the applicant revise the overall Waterside MXU Development Plan as soon as possible to specifically label each proposed land use category (Residential, Lodging, Office, Retail and/or Mixed-use Buildings, and Civic Space) along with the percentage amount of the MXU site that each category covers. This is a requirement of the zone so is not intended to be a condition placed on this particular zoning.

6. Building to be constructed to reflect a residential character as indicated in the drawings presented to City Council.

Recommendation: Remove condition 6. This condition was introduced at the 2007 City Council hearing. Staff had no involvement in the development or review of this design condition and has no background on the specifics as to how this condition ameliorates the impact of this development. At the time of the initial 2007 rezoning, the site plan had three 9,000 square foot office buildings, one 7,200 square foot office building, and one "future library location". The revised site plan shows one 25,200 square foot two-story building, one 23,400 square foot two-story building, and one one-story 4,500 square foot building. It is important to note that the original site plan numbers appear to reflect the building footprint, while the revised numbers (on the new site plan) are the building total square footage.

The MXU zone requires a minimum building height of two stories or twenty feet. Because it is a standard, it can be assumed that the original site plan could have had a total of 68,400 square feet of occupied space (not counting the library). This total represents the

original building footprint square footage doubled to accommodate a second floor.

The total new square footage is 53,100. The building footprints of the proposed buildings are 4,500 square feet, 12,600 square feet and 11,700 square feet. Overall, the total building square footage on the new proposal is less than the adopted original plan. However, the two two-story buildings are 30-40% larger than the original 9,000 square foot buildings.

It is not clear how the staff can objectively evaluate the architectural merits of the original design compared to the revised proposal relative to what constitutes "residential character". While the new design shows a larger massing of buildings that could read more as office, it could also be argued that the added pitched roof, window shutters and exterior lamps still meet the intent of the original proposal. Given the subjective nature of this condition, staff recommends that it be removed.

Condition 8. An earthen berm approximately two (2) to three (3) feet high to be built behind the sidewalk and a hedge approximately two (2) to three (3) feet high to be planted on top of the berm or appropriate landscaping that will give both the screening and the height to be effective in obscuring the view of most cars parked in front of the buildings.

Recommendation: The applicant has progressed in the plans for the widening of Gunbarrel Road, how the width of the right-of-way is changing to accommodate that widening, and the grade change from the roadway to this site. That grade change is an important aspect to address safety issues related to the vertical curve of Gunbarrel Road in this area. The revised plans, now able to better address that grade change, place this development higher than the roadway particularly heading southward along Gunbarrel Road towards Shallowford Road.

That grade change appears to staff to essentially provide a portion of the buffering aspect that the berm was intended to provide. However, it is of utmost importance that appropriate buffering still occurs. The RPA requested the applicant to provide a landscaping plan to graphically depict, and in words convey, the proposed landscaping elements as shown in the submitted drawings. This is an important frontage and this site should be well-screened either through grade change and/or landscaping. Staff is recommending a condition of a landscaping plan be attached to this site.

9. Leyland Cypress would be planted at the rear of this property and more specifically on top of the fill area that is part of the larger Mixed Use Development. This should obscure buildings and vehicles at the rear of the future buildings from Gunbarrel Road.

Recommendation: Staff is recommending amending this condition that requires Leyland Cypress. However, staff is recommending the condition state that "Type C landscape buffer as relates to tree separation and buffer width, except where road and/or pedestrian connectivity occurs, with up to 25% of the trees being deciduous".

Changes to these conditions reflect the staff's view of that this portion of the MXU should strongly relate to the rest of the Waterside MXU abutting this property to the west. This requires landscaping to occur yet allows for a mix of tree species that are compatible and complement the rest of the development.

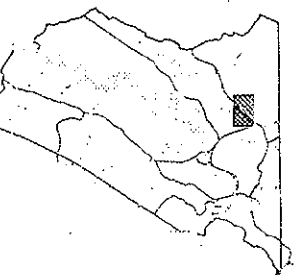
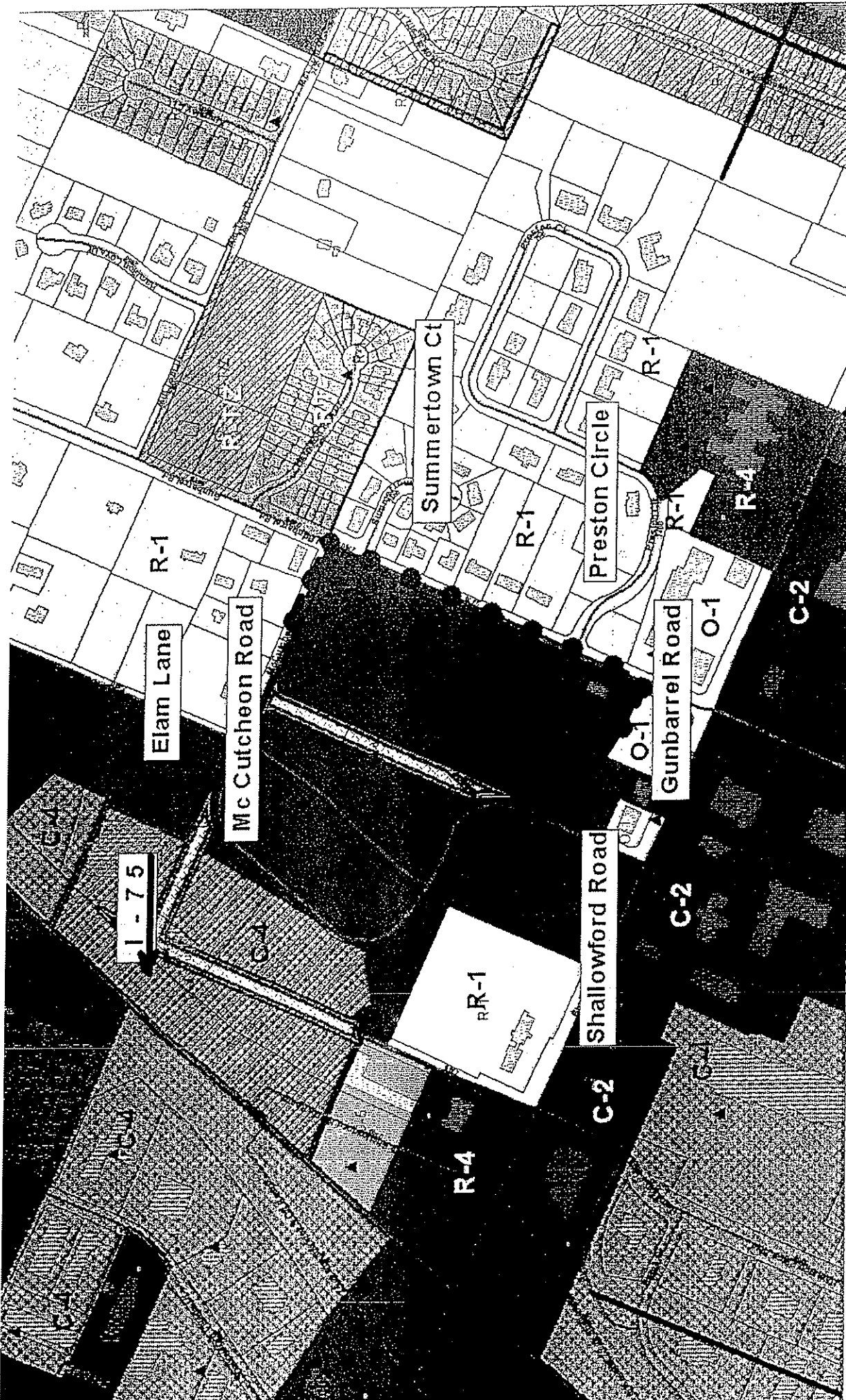
Therefore, the following conditions remain on the zoning as previously stated in Ordinance No. 11989:

- Any transportation improvements as approved by the City Traffic Engineer
- Twelve (12) feet of right-of-way along Gunbarrel Road necessary for future road widening
- Appropriate Drainage Impact Study to be provided by the developer to City Engineering Department
- A sidewalk to be constructed along Gunbarrel Road with trees planted appropriately and street lamps per the drawings presented to City Council

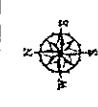
Staff is recommending the following conditions replace those to be removed or amended:

- No more than two ingress/egress drives onto Gunbarrel Road one of which is at the general location of the current curb-cut onto Gunbarrel Road at 2307 Gunbarrel Road
- Type C landscape tree buffer as relates to tree separation and buffer width, except where road and/or pedestrian connectivity occurs, with up to 25% of the trees being deciduous shall be planted along the western property line.
- A landscaping plan for the Gunbarrel Road frontage

RECOMMENDATION: Therefore, to simplify the condition language, staff recommends that the existing list of conditions be replaced with a new list which will contain the new conditions as well as those that are to remain.



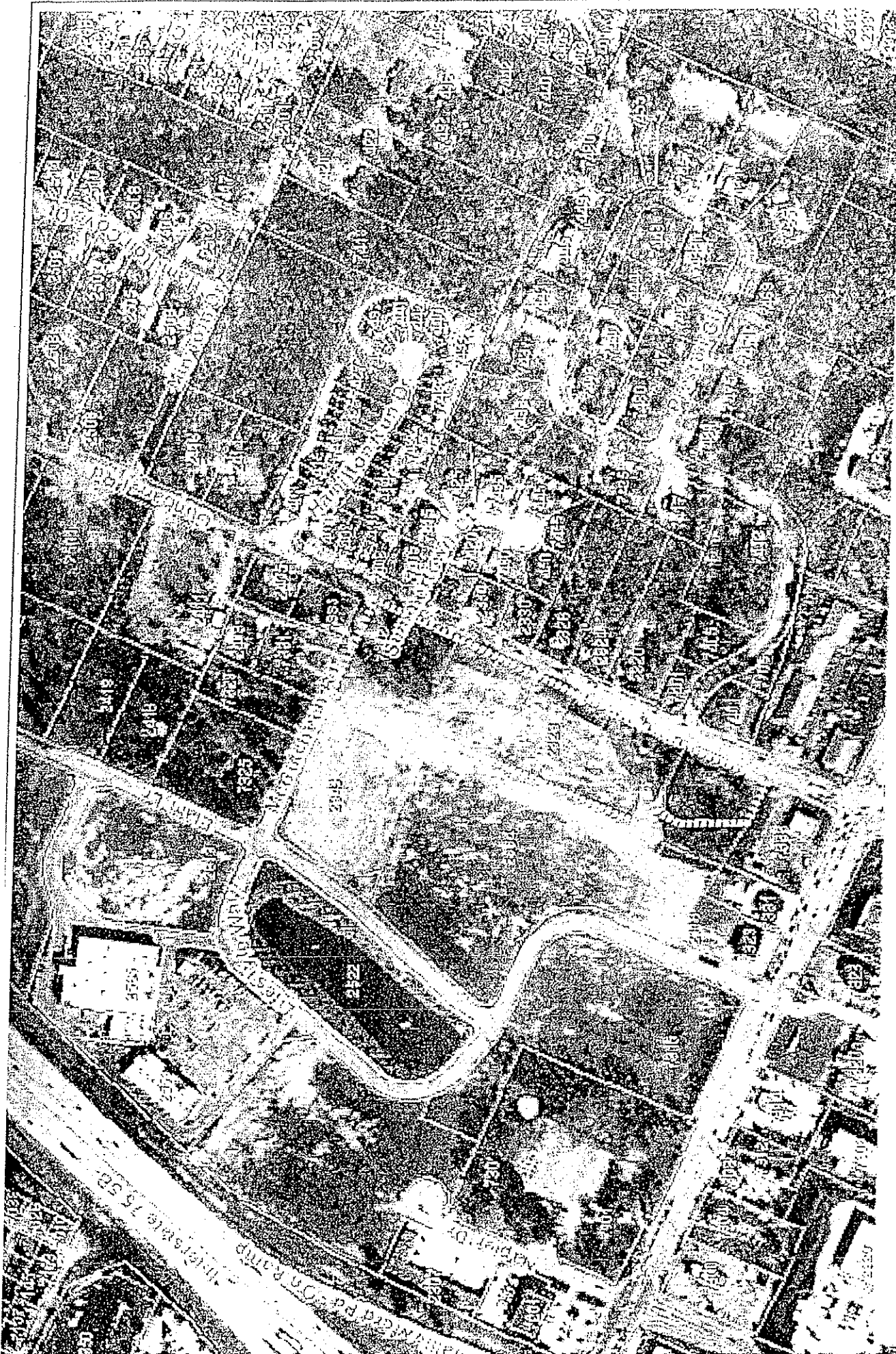
2012-0014 Amend Conditions From Ord # 11989



1 in. = 400.0 feet



Chattanooga - Hamilton County Regional
Planning Agency



2012-014 AMEND CONDITIONS

Printed: Feb 15, 2012

Scale 1:4800



MAP ENGINEERS L.L.C.
 1000 W. MAIN ST. SUITE 200
 CHATTANOOGA, TN 37421

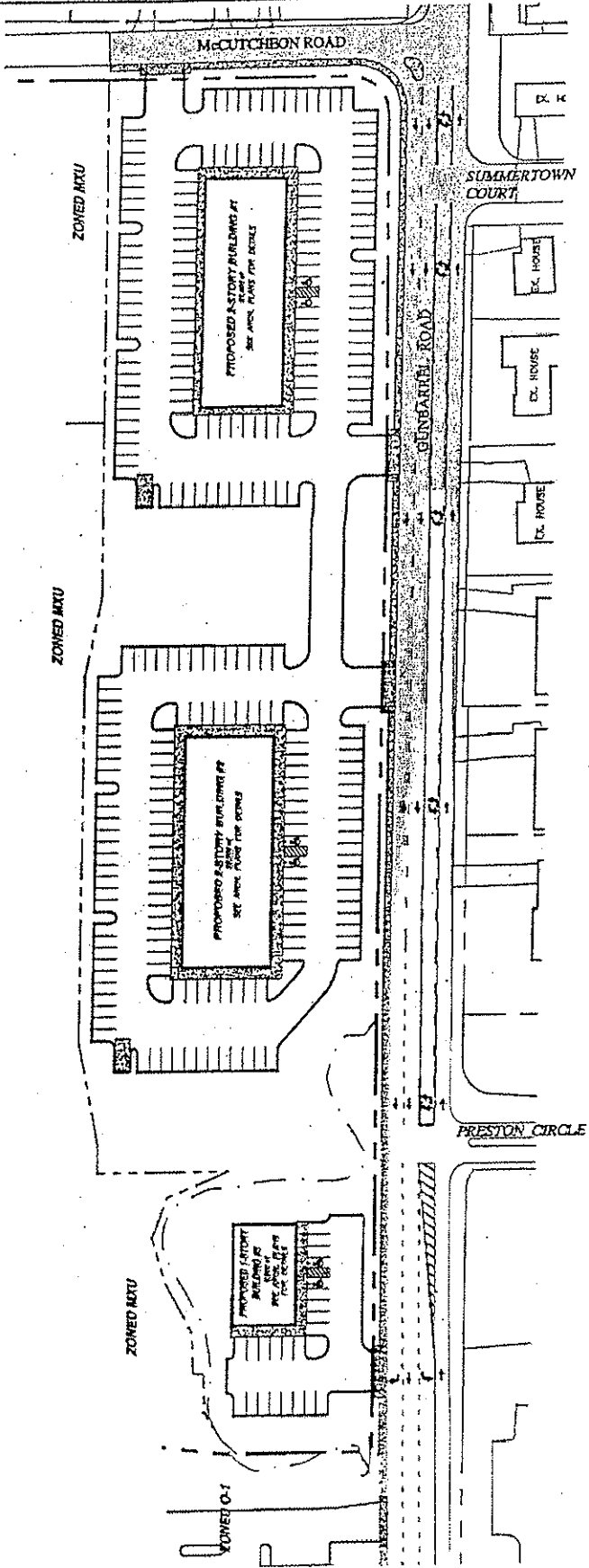
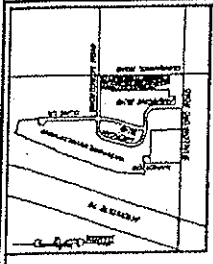
OFFICES AT WATERSIDE
 FOR:
 GUNBARREL PARTNERS
 8074 SHALL OXFORD ROAD
 CHATTANOOGA, TN 37421

PRELIMINARY SITE PLAN

NO.	REVISIONS
1	ISSUED
2	
3	
4	
5	

ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN FEET AND INCHES. DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE SPECIFIED. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHATTANOOGA, TN. THE CITY OF CHATTANOOGA, TN IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.

DATE: 07/15/2011
 DRAWN BY: JEP
 CHECKED BY: JEP
 TITLE: PRELIMINARY SITE PLAN
 PROJECT NUMBER: CP-1



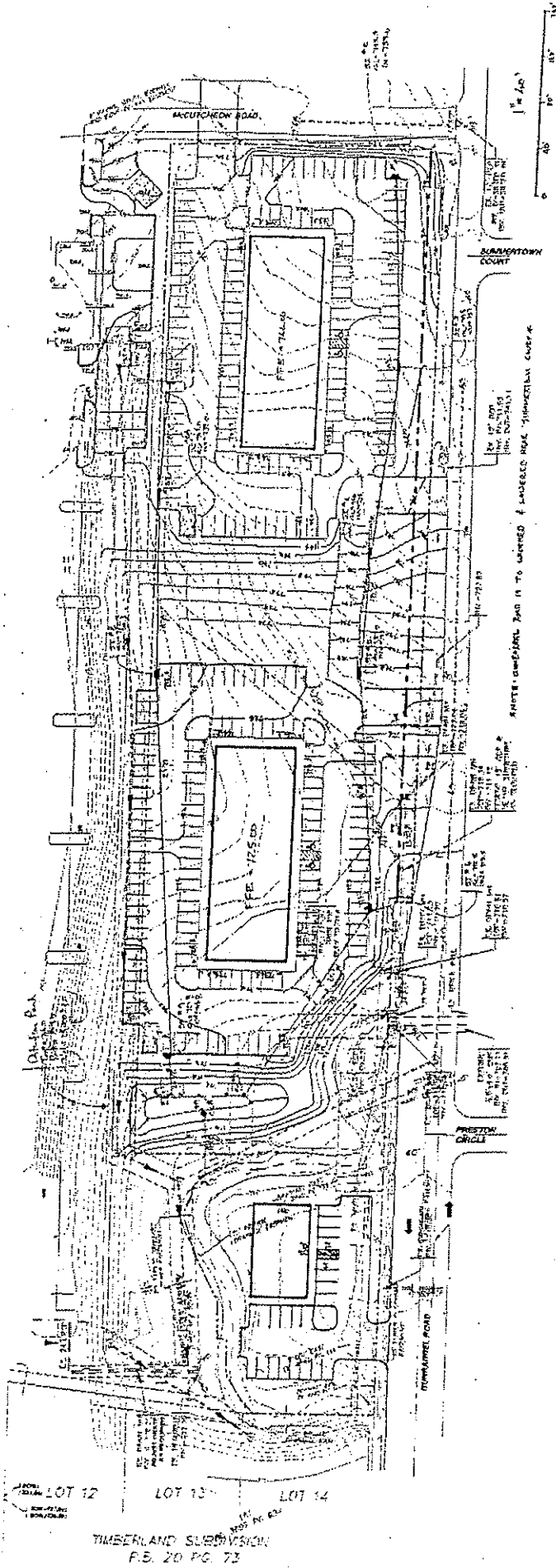
NOTES:
 1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN FEET AND INCHES. DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
 2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHATTANOOGA, TN.
 3. THE CITY OF CHATTANOOGA, TN IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.

SUBMITTALS

NO.	DESCRIPTION	DATE
1	Final Site Plan	07/15/2011
2	Final Engineering	07/15/2011
3	Final Survey	07/15/2011
4	Final Utility	07/15/2011
5	Final Erosion Control	07/15/2011
6	Final Stormwater	07/15/2011
7	Final Traffic	07/15/2011
8	Final Sound	07/15/2011
9	Final Air Quality	07/15/2011
10	Final Cultural Resources	07/15/2011
11	Final Historical Resources	07/15/2011
12	Final Wetlands	07/15/2011
13	Final Wetland Delineation	07/15/2011
14	Final Wetland Mitigation	07/15/2011
15	Final Wetland Restoration	07/15/2011
16	Final Wetland Creation	07/15/2011
17	Final Wetland Enhancement	07/15/2011
18	Final Wetland Protection	07/15/2011
19	Final Wetland Stewardship	07/15/2011
20	Final Wetland Management	07/15/2011
21	Final Wetland Monitoring	07/15/2011
22	Final Wetland Assessment	07/15/2011
23	Final Wetland Evaluation	07/15/2011
24	Final Wetland Reporting	07/15/2011
25	Final Wetland Review	07/15/2011
26	Final Wetland Approval	07/15/2011
27	Final Wetland Implementation	07/15/2011
28	Final Wetland Maintenance	07/15/2011
29	Final Wetland Restoration	07/15/2011
30	Final Wetland Creation	07/15/2011
31	Final Wetland Enhancement	07/15/2011
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36	Final Wetland Assessment	07/15/2011
37	Final Wetland Evaluation	07/15/2011
38	Final Wetland Reporting	07/15/2011
39	Final Wetland Review	07/15/2011
40	Final Wetland Approval	07/15/2011
41	Final Wetland Implementation	07/15/2011
42	Final Wetland Maintenance	07/15/2011
43	Final Wetland Restoration	07/15/2011
44	Final Wetland Creation	07/15/2011
45	Final Wetland Enhancement	07/15/2011
46	Final Wetland Protection	07/15/2011
47	Final Wetland Stewardship	07/15/2011
48	Final Wetland Management	07/15/2011
49	Final Wetland Monitoring	07/15/2011
50	Final Wetland Assessment	07/15/2011
51	Final Wetland Evaluation	07/15/2011
52	Final Wetland Reporting	07/15/2011
53	Final Wetland Review	07/15/2011
54	Final Wetland Approval	07/15/2011
55	Final Wetland Implementation	07/15/2011
56	Final Wetland Maintenance	07/15/2011
57	Final Wetland Restoration	07/15/2011
58	Final Wetland Creation	07/15/2011
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98	Final Wetland Maintenance	07/15/2011
99	Final Wetland Restoration	07/15/2011
100	Final Wetland Creation	07/15/2011

Preliminary Site Plan
 07/15/2011

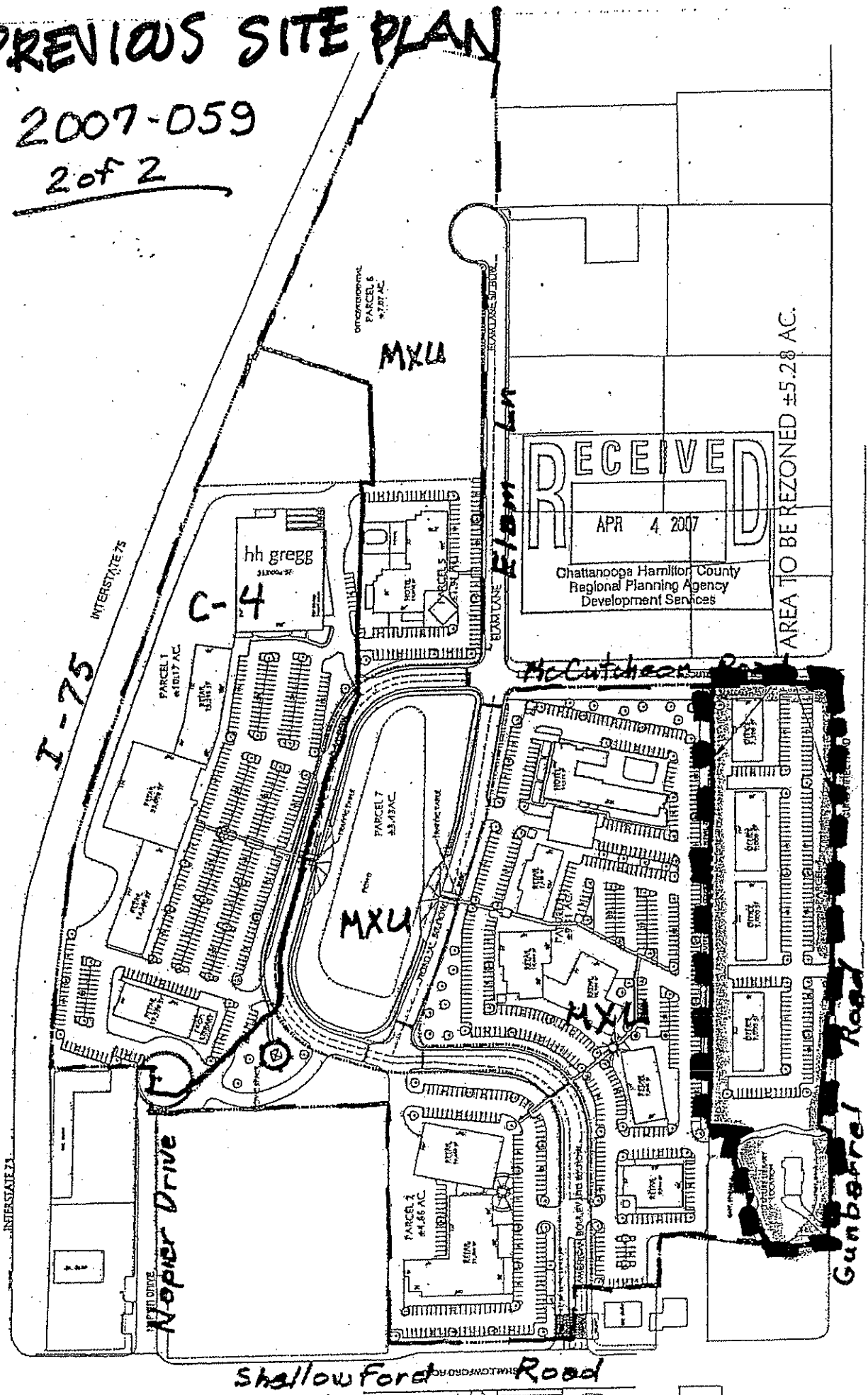
PROPOSED NEW SITE PLAN



PREVIOUS SITE PLAN

2007-059

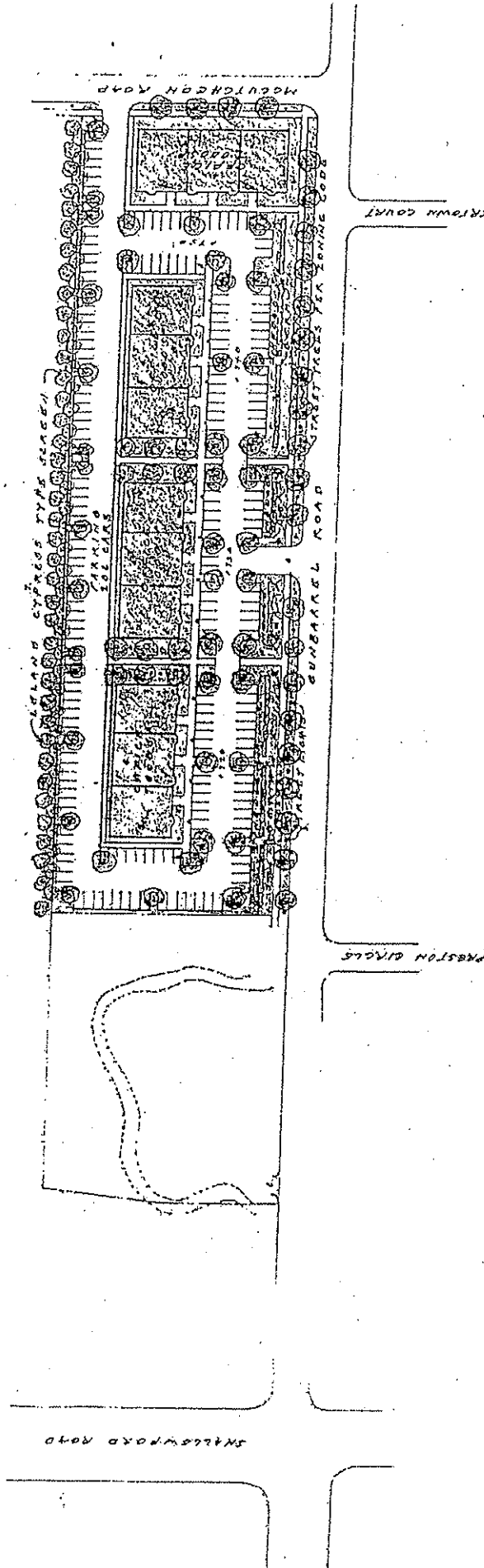
2 of 2



LANDSCAPING

PREVIOUS SITE PLAN - 2007

2-2
#17



LEGEND NOTES

1. As per the artist rendering, we would have a sidewalk running along Gunbarrell with trees planted appropriately.
2. An eastern berm approximately 2-3 feet high would be built behind the sidewalk and a hedge, approximately 2-3 feet high would be planted on top of the berm of appropriate landscaping that would both give screening and the height to be effective in obscuring the view of most cars parked in front of the building.
3. Street lamps along the sidewalk would be installed per the artist rendering.
4. Offices or office residence would be built on the property.
5. The offices would be constructed with a residential look in keeping with the idea of the artist's rendering.
6. There would be one curb cut on Gunbarrell except for Bob Humbel's home. This lot presents many challenges due to the stream that runs through the property and we are not sure exactly how to "bridge" over this stream and tie in with the rest of our proposed structures.
7. Leyland Cypress would be planted at the rear of the property and more specifically on top of the fill area that is part of the larger Mixed Use Development. This would obscure buildings and vehicles at the rear of these future buildings from Gunbarrell.

GUNBARRELL ROAD OFFICE
DEVELOPMENT

III
ARCHITECTS & PLANNING ARCHITECTS



PREVIOUS DRAWING REFERENCED IN CONDITION #6
(2007)